

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

PATRICK BAILEY,

Plaintiff,

v.

MILTOPE CORPORATION,

Defendant.

Case No. 2:05-CV-1061-MEF-DRB

REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to Fed. R. Civ. P. 26(f), a planning meeting was conducted on January 6, 2006 via telephone conference between:

Derrick Blythe, Esq., Attorney for Plaintiff Patrick Bailey,

and

Jennifer F. Swain, Esq.

One of the Attorneys for Defendant Miltope Corporation.

2. **Pre-discovery Disclosures:** The parties will exchange by January 20, 2006 the information required by Rule 26(a)(1).

3. **Discovery Plan:** The parties jointly propose to the Court the following discovery plan:

(a) **Topics:** Discovery will be needed on the following subjects: allegations of the Plaintiff's Complaint, alleged damages and Defendant's defenses.

(b) **Discovery Deadline:** All discovery commenced in time to be completed by *July 7, 2006*.

(c) **Interrogatories:** Maximum of 30 interrogatories, including subparts, by each party to any other party. Responses due 30 days after service.

(d) **Requests for Admission:** Maximum of 10 requests for admission, including subparts, by each party to any other party. Responses due 30 days after service.

(e) **Requests for Production:** Maximum of 30 requests for production, including subparts, by each party to any other party. Responses due 30 days after service.

(f) **Depositions:** Maximum of 7 depositions by the Plaintiff and 7 depositions by the Defendant. Each deposition is limited to a maximum of 7 hours unless extended by agreement of the parties or Order of the Court.

(g) **Supplementation:** Supplementation under Rule 26(e) due within 30 days of knowledge of the need to supplement but not later than 30 days before the completion of discovery.

(h) **Expert Testimony:** Unless modified by stipulation of the parties, the disclosure of expert witnesses including a complete report under Fed. R. Civ. P. 26(a)(2)(B) from any specially retained or employed expert are due:

From the Plaintiff by: ***May 1, 2006***

From the Defendant by: ***June 2, 2005.***

4. **Other Items:**

(a) **Scheduling Conference:** A Scheduling Conference has not been scheduled by the Court.

(b) **Pretrial Conference:** The parties request a pretrial conference in ***July 2006.***

(c) **Pleadings and Parties:** Plaintiff should be allowed until *February 10, 2006* to join additional parties and amend the pleadings.

Defendant should be allowed until *March 3, 2006* to join additional parties and *March 18, 2005* to amend the pleadings.

(d) **Dispositive Motions:** All potentially dispositive motions must be filed by *May 19, 2006*.

(e) **Settlement:** Settlement cannot be evaluated prior to the parties conducting some discovery and may be enhanced by the use of mediation at a later date.

(f) **Final Lists:** Final lists of witnesses and exhibits under Rule 26(a)(3) should be due on *July 21, 2006*. Parties should have 14 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

(g) **Trial:** The case should be ready for trial on *August 21, 2006*.

Respectfully submitted,

s/ Derrick Blythe
Derrick Blythe
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s/ Jennifer F. Swain
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